

MICHIGAN VEHICLE CODE (EXCERPT)
Act 300 of 1949

***** 257.208.amended THIS AMENDED SECTION IS EFFECTIVE OCTOBER 31, 2010 *****

257.208.amended Destruction of certain records; maintaining of records involving operation of commercial motor vehicles.

Sec. 208. (1) Except as otherwise specified in this section, the secretary of state may destroy any department records maintained on file for 7 years, including the information contained in the central file maintained under section 204a.

(2) Except as otherwise provided in this section, records of convictions of any offense for which points are provided under section 320a(1)(a), (b), (c), or (g) or section 320a(8) may be destroyed after being maintained on file for 10 years. However, if a person is convicted of violating section 625, the record of that conviction shall be maintained for the life of the person.

(3) If a person who is a commercial license holder or a noncommercial license holder who operates a commercial motor vehicle is convicted under a law of this state, a local ordinance substantially corresponding to a law of this state, or a law of another state substantially corresponding to a law of this state of any of the following violations, the record of that conviction shall be maintained for the life of the person or until the person moves to another jurisdiction:

(a) Operating a vehicle in violation of section 625.

(b) Operating a commercial motor vehicle in violation of section 625m.

(c) Leaving the scene of an accident.

(d) Using a vehicle to commit a felony.

(e) Refusing to take an alcohol or controlled substance test required under this act.

(f) Operating a commercial motor vehicle when the person's operator's or chauffeur's license or vehicle group designation is suspended, revoked, or canceled as a result of prior violations committed while operating a commercial motor vehicle.

(g) Operating a commercial motor vehicle when the person is disqualified from operating a commercial motor vehicle.

(h) Causing any fatality through the negligent operation of a commercial motor vehicle.

(4) Records of stolen vehicles reported in section 253 may be destroyed after being maintained on file for the year of entry plus 4 years.

(5) Except as otherwise specified in this act, records the secretary of state considers obsolete and of no further service in carrying out the department's powers and duties may be destroyed upon that determination.

(6) If a record of suspension under section 321a does not contain a conviction for a violation of section 904 or a local ordinance substantially corresponding to section 904 during the period of suspension, the secretary of state may destroy the record 180 days after the suspension terminates or as provided in subsections (1) to (5).

(7) The secretary of state may destroy a record of receipt of the notice provided for in section 321a(7) after the court involved informs the secretary of state that all outstanding matters regarding section 321a(7) have been resolved.

(8) The secretary of state may destroy a record maintained pursuant to section 204a 180 days after the nonresident driver against whom a civil infraction determination is entered complies with an order or judgment issued pursuant to section 907.

History: 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1966, Act 247, Eff. Mar. 10, 1967;—Am. 1978, Act 391, Eff. Jan. 15, 1979;—Am. 1980, Act 460, Imd. Eff. Jan. 15, 1981;—Am. 1980, Act 518, Eff. Mar. 31, 1981;—Am. 1982, Act 310, Eff. Mar. 30, 1983;—Am. 1994, Act 449, Eff. May 1, 1995;—Am. 1996, Act 471, Eff. Apr. 1, 1997;—Am. 1997, Act 100, Imd. Eff. Aug. 7, 1997;—Am. 2004, Act 362, Imd. Eff. Oct. 4, 2004;—Am. 2006, Act 565, Eff. Oct. 31, 2010.

Compiler's note: Section 2 of Act 310 of 1982 provides: "All proceedings pending and all rights and liabilities existing, acquired, or incurred at the time this amendatory act takes effect are saved and may be consummated according to the law in force when they are commenced. This amendatory act shall not be construed to affect any prosecution pending or initiated before the effective date of this amendatory act, or initiated after the effective date of this amendatory act for an offense committed before that effective date."